

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 6098 of 1999

In

CRIMINAL APPEAL NO.1098 OF 1993

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA and

MR.JUSTICE R.R.TRIPATHI

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
 5. Whether it is to be circulated to the Civil Judge? : NO

JAGDISINH GULABSINH

Versus

STATE OF GUJARAT

Appearance:

Mr.S.A.Pandya, learned ADDL.PUBLIC PROSECUTOR
for Respondents.

CORAM : MR.JUSTICE M.R.CALLA and

MR.JUSTICE R.R.TRIPATHI

Date of decision: 28/10/1999

ORAL JUDGEMENT(Per M.R.Calla,j)

Rule. Mr.S.A.Pandya, learned Addl. P.P. waives
service of rule on behalf of respondents.

This Application has been received through Jail.

During the period of sentence and pendency of Appeal against the conviction for an offence punishable under S.302 I.P.C. and the sentence, the applicant seeks to be bailed out and in the alternative he has prayed for early hearing of the Appeal. No case is made out for grant of regular bail. The prayer for bail was not pressed on behalf of the present applicant even at the time when the Appeal was admitted on 2.12.93 and the Court had already observed at that time that in its opinion it was rightly not pressed. The prayer for bail is, therefore, declined.

Whereas the Appeal is pending since 1993, it is observed that the applicant may move the concerned Bench hearing Appeals for the years subsequent to 1991. The Application is allowed to this extent only and rule is also made absolute in the terms as aforesaid.